

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01-29-2010 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 9, 30, 32, 34, 36, 38 and 44 rejected under 35 U.S.C. 103(a) as being unpatentable over Clise et al. (US 6,064,722)

Regarding claims 1 and 36, Clise discloses a communication network for rotating media channels among a plurality of resources of an emergency services network and a conforming emergency system (CES) systems (Col.1 lines 6-10 and Col.1 lines 38-42), the communication network comprising: a transport network connected with said CES and with said plurality of resources (Col.4 lines 19-40 and Col.1 lines 52-63; Clise discusses emergency system which is connected or accessed primary and secondary databases through communication links and PSAP); said, CES including a CES channel system (Col.6 lines 7-13 and fig.2, 36 and 58); each

respective resource of said plurality of resources including at least one respective resource channel system (Fig.2, 36, 50 and 58); said CES channel system and a first said resource channel system cooperating to dynamically establish a first media channel between one another over said transport network (Col.10 lines 16-35); said CES channel system and said first resource channel system exchanging messages over said the first media channel to facilitate operation of said the CES in handling emergency events (Col.3 lines 65-67, Col.4 lines 1-40 and fig.2, 34, 50, 52: Clise discusses a public emergency call service system with local exchange and alternate local exchange carrier to facilitate emergency handling); at least one of said CES and said first resource channel system responding to a triggering event to dynamically establish a second media channel between said CES and a second said resource channel system over said transport network (Col.5 lines 25-36); at least two of said CES, said first resource channel system and said second resource channel system cooperating to effect exchanging messages over said second media channel instead of said first media channel (Col.4 lines 23-40 and fig.2, 34, 36, 52, 58: Clise discusses in a public emergency call service, the data request connected to the alternate information source through a communication link 58 instead of communication link 36) to facilitate operation of said CES in handling emergency events (Col.4 lines 2-6).

Clise discloses the invention set forth above however Clise does not specifically discloses “at least one of said CES and said first resource channel system responding to a triggering event to dynamically establish a second media channel between said CES and a second said resource channel system over said transport network”

It would have been obvious to one of ordinary skill in the art that capable of determining whether the primary database system is unable to provide the requested services and routing to

the alternate information source can be considered as a triggering event as discussed by Clise (Col.5 lines 25-35)

Considering claims 3 and 38, Clise further discloses the communication network of claims 1 and 36 wherein said respective resource for said first media channel and said respective resource for said second media channel comprise different resources (Col.4 lines 20-31).

Considering claims 9 and 44, Clise further discloses the communication network of claims 1 and 36 wherein the triggering event comprises a time period elapsing (Fig.4B, 302, 304).

Considering claim 30, Clise further discloses the communication network of claim 1 wherein the plurality of resources includes a response gateway (Fig.2, 50).

Considering claim 32, Clise further discloses the communication network of claim 1 wherein the emergency events include 9-1-1 calls (Col.3 lines 13-15).

Considering claim 34, Clise further discloses the communication network of claim 1 wherein the CES comprises a computer system for a Public Safety Answering Point (PSAP) (Col.4 lines 41-45).

4. Claims 2, 4-6, 8, 33, 37, 39-41 and 43 rejected under 35 U.S.C. 103(a) as being unpatentable over Clise et al. (US 6,064,722) in view of Crook et al. (US 7,102,663)

Considering claims 2 and 37, Clise does not specifically discloses a method wherein said respective resource for said first media channel and said respective resource for said second media channel comprise the same resource. Crook discloses the communication network wherein said respective resource for said first media channel and said respective resource for said second media channel comprise the same resource (Col.1 lines 18-25 and Col.14 lines 62-56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Clise and modify a method wherein said respective resource for said first media channel and said respective resource for said second media channel comprise the same resource, as disclosed by Crook, thus providing techniques for setting up calls across telecommunications networks, as discussed by Crook

Considering claims 4 and 39, Crook further discloses the communication network of claims 1 and 36 wherein: at least one of said CES and said respective resource for said first media channel tears down said first media channel after said second media channel is established (abstract lines 8-10).

Considering claims 5 and 40, Crook further discloses the communication network of claims 1 and 36 wherein: at least one of said CES channel system and said first resource channel participates in tearing down said first media channel substantially simultaneously as said second media channel is established (Col.14 lines 43-58 and Col.13 lines 11-14).

Considering claims 6 and 41, Crook further discloses the communication network of claims 1 and 36 wherein: at least one of said CES channel system and said first resource channel participates in tearing down said first media channel before said second media channel is established (Col.11 lines 49-54).

Considering claims 8 and 43, Crook further discloses the communication network of claims 1 and 36 wherein: at least one of said CES channel system and said first resource channel participates in rolling message sessions on said first media channel to said second media channel before tearing down said first media channel (abstract lines 8-10).

Considering claim 33, Crook discloses the communication network of claim 1 wherein the CES receives at least one of streaming video, streaming audio, graphics data, voice, text or binary data, or executable instructions or scripts over the first media channel (Col.1 lines 18-25).

5. Claims 10-11, 16-18, 45-46 and 52 rejected under 35 U.S.C. 103(a) as being unpatentable over Clise et al. (US 6,064,722) in view of Beason et al. (US 6,968,044)

Considering claims 10 and 45, Clise does not specifically disclose a request from the CES channel system, the first resource channel or the second resource channel. Beason however discloses the communication network of claims 1 and 36 wherein the triggering event comprises a request from the CES channel system, the first resource channel or the second resource channel (Col.7 lines 11-31)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Clise, and modify a system wherein the triggering event comprises a request from the CES channel system, the first resource channel or the second resource channel, as disclosed by Beason, thus the trigger causes a message in the form of a query to be sent, as discussed by Beason.

Considering claims 11 and 46, Beason further discloses the communication network of claims 1 and 36 wherein the triggering event comprises the CES receiving a new emergency event (Col.7 lines 44-56).

Considering claim 16, Beason further discloses the communication network of claim 1 wherein: at least one of said CES channel system and at least one said respective resource channel system cooperate to select said first channel resource system by identifying the

availability of each respective resource of said plurality of resources in said emergency services network (Col.8 lines 23-25 and Col.9 lines 30-37).

Considering claims 17 and 52, Beason further discloses the communication network of claims 1 and 36 wherein: said CES channel system and each said respective resource channel system include a data structure including stored information regarding said plurality of resources, and regarding a setup system relating to said CES channel said and at least one said respective resource channel system accessing said stored a information to select first resource channel (Col.7 lines 11-29 and fig.5)

Considering claim 18, Beason further discloses the communication network of claim 17 wherein said stored information includes at least one of a capacity or current load of each said respective resource, an operational status of each of said respective resource, a number of media channels established with each said respective resource, security, a location of each said respective resource, data connectivity speed of each said respective resource , the type of protocol used by each said respective resource resource, or the type of each said respective resource (Fig.2, 58 and 60)

6. Claims 7, 19, 31, 35 and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Clise et al. (US 6,064,722) in view of McCalmont et el. (6,771,742)

Considering claims 7 and 42, Clise does not specifically discloses channel system and said first resource channel participates in tearing down said first media channel after message sessions on said first media channel have ended. McCalmont however discloses the communication network wherein at least one of said CES channel system and said first resource

channel participates in tearing down said first media channel after message sessions on said first media channel have ended (Col.16 lines 8-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Clise, and modify CES channel system and said first resource channel participates in tearing down said first media channel after message sessions on said first media channel have ended, as disclosed by McCalmont, thus allow enhanced information to be provided to the public safety answering point, as discussed by McCalmont

Considering 19, McCalmont further discloses the communication network of claim 1 wherein each of said the CES channel system and each said respective resource channel system comprises a Session Initiation Protocol (SIP) proxy or a SIP server (Col.16 lines 8-20).

Considering claim 31, McCalmont further discloses the communication network of claim 1 wherein the plurality of resources includes at least one of an ALI database, a Mobile Positioning Center (MPC), a Gateway Mobile Location Center (GMLC), an Emergency Auxiliary Service Provider (EASP), and a Voice over Internet Protocol (VoIP) server (Fig.2).

Considering claim 35, McCalmont further discloses the communication network of claim 1 wherein the CES comprises a computer system for one of a hospital, a police department, a fire station, a fire alarm company, a security company, an ambulance service, a state 9-1-1 coordinator, the Federal Emergency Management Agency (FEMA), the Department of Homeland Security, the National Geophysical Data Center, or the Center for Disease Control (CDC) (Col.3 lines 47-57 and Col.4 lines 1-5)

Response to Arguments

7. Applicant's arguments with respect to claims 1-11, 16-19, 30-46 and 52 have been considered but are moot in view of the new ground(s) of rejection (See the rejection above).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF K. LAEKEMARIAM whose telephone number is (571) 270-5149. The examiner can normally be reached on Regular hours 8:30 am - 5:30 pm M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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